

FILEDUNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

APR 30 2025

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Mexico

MITCHELL R. ELFERS
CLERK OF COURT

United States of America)

v.)

Miguel Davila Jr)

Case No. 25-996 MJ)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 04/28/2025 in the county of Dona Ana in the
District of New Mexico, the defendant(s) violated:Code Section
18 USC 751 (a)Offense Description
Escape from Custody

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Adrian P. Gunder

Complainant's signature

Adrian P. Gunder DUSM

Printed name and title

Sworn to before me ^{VIA PHONE} and signed in my presence.

Date: 4/30/25

City and state: Las Cruces, NM

G. J. Fournart

Judge's signature

G. J. Fournart U.S. M. J.

Printed name and title

United States of America

VS

Miguel Davila Jr


Affidavit in Support of Criminal Complaint:

1. On or about April 14, 2011, in federal case number EP-10-CR-01559-DB (2) in the Western District of Texas El Paso Division, the defendant was committed to custody of the Federal Bureau of Prisons to be imprisoned for a total term of 240 months.
1. On or about September 3, 2024, the Bureau of Prisons (BOP) placed the Defendant at Diersen Charities halfway house. On or about September 3, 2024, the defendant signed an Acknowledgment of Custody form, which stated, "I understand that I am in the custody of the Attorney General of the United States. I further understand that leaving the Residential Center without permission from the Center Director or his/her authorized representative, shall be deemed an escape from the custody of the Attorney General."
2. On or about April 28, 2025, while still serving his federal term of imprisonment, the Defendant left Diersen Charities without permission and did not return. On April 29, 2025, the Defendant was arrested at a different location in Las Cruces, NM.



Gregory J. Fouratt

United States Magistrate Judge



ADRIAN P. GUNDER
Signature of Complainant